

Serial No.: 10/525,298

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Bruce Nathaniel GRAY	Examiner:	Unknown
Serial No.:	10/525,298	Group Art Unit:	1615
Filed:	15 August 2005	Docket No.:	03955.0150USWO
Title:	COMBINATION THERAPY OF OXALIPLATIN AND RADIOACTIVELY DOPED PARTICLES TREATING CANCER		

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 2 August 2006.

By:   
Name: Casey Caron

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the European Search Report. At least some of the references were recently cited in an European Search Report mailed 12 June 2006.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. No fee is due as this statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.



**Certification Under 37 C.F.R. §1.97(e)(1)**

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. §1.98(a)(2). Because this application was filed after June 30, 2003, copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

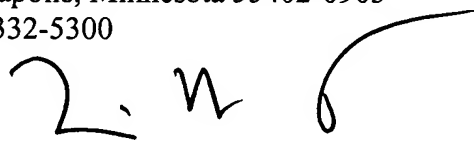
Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, Minnesota 55402-0903  
(612) 332-5300



Dated: 2 August 2006

By

  
Brian H. Batzli  
Reg. No. 32,960

BHB/cjc



1615 TFW

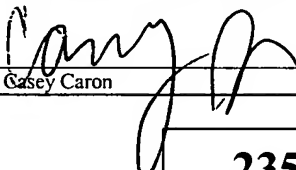
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce Nathaniel GARY  
Serial No.: 10/525,298  
Filed: 15 August 2005  
Confirmation No.: 5999  
Due Date: N/A  
Title: COMBINATION THERAPY OF OXALIPLATIN AND RADIOACTIVELY DOPED PARTICLES TREATING CANCER

Examiner: Unknown  
Group Art Unit: 1615  
Docket: 03955.0150USWO  
Notice of Allow. Date: N/A

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on 2 August 2006.

By:   
Name: Casey Caron

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**23552**  
PATENT TRADEMARK OFFICE

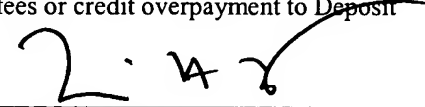
Sir:

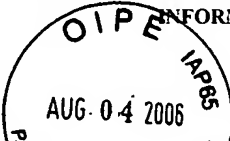
We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Supplemental Information Disclosure Statement, Form 1449, 9 Reference(s), Copy of European Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By:   
Name: Brian H. Batzli  
Reg. No.: 32,960  
BHB/cjc

<b>FORM 1449*</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> (Use several sheets if necessary)	Docket Number: 03955.0150USWO	Application Number: 10/525,298
	Applicant: Bruce Nathaniel GARY	
	Filing Date: 15 August 2005	Group Art Unit: 1615

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	US 2004/0220135 A1	11/2004	Gray			
	US 4,970,062	11/1990	Atcher et al.			
	US 5,362,473	11/1994	Panek			
	US 2002/0197208 A1	12/2002	Ruys et al.			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)						
		Stickel et al. "Weekly high-dose 5-fluorouracil as 24-h infusion and folinic acid (AIO) plus irinotecan as second- and third-line treatment in patients with colorectal cancer pre-treated with AIO plus oxaliplatin." <i>Anti-Cancer Drugs</i> . Vol. 14, No. 9. 2003. pp. 745-749.				
		Moroz et al. "Effect of Selective Internal Radiation Therapy and Hepatic Arterial Chemotherapy on Normal Liver Volume and Spleen Volume." <i>Journal of Surgical Oncology</i> . Vol. 78, No. 4. December 2001. pp. 248-252.				
		Comella et al. "Oxaliplatin and raltitrexed combined with leucovorin-modulated 5-fluorouracil i.v. bolus every two weeks: A dose finding study in advanced previously treated colorectal carcinoma." <i>Annals of Oncology</i> . Vol. 11, No. 4. 2000. pp. 461-468.				
		Porschen et al. "Phase II Trial of Oxaliplatin, 5-Fluorouracil (5-FU) and Leucovorin (LV) for advanced Biliary Tract Adenocarcinoma." <i>Gastroenterology</i> . Vol. 116, No. 4. April 1999. p. A487.				
		Stubbs et al. "Selective Internal Radiation Therapy With Yttrium Microspheres for Extensive Colorectal Liver Metastases." <i>Journal of Gastrointestinal Surgery</i> . Vol. 5, No. 3. May 2001. pp. 294-302.				
		Chenoufi et al. "In Vitro Demonstration of Synergy between Radionuclide and Chemotherapy." <i>Journal of Nuclear Medicine</i> . Vol. 39, No. 5. May 1998. pp. 900-903				
		Liu et al. "Current treatment for liver metastases from colorectal cancer." <i>World Journal of Gastroenterology</i> . Vol. 9, No. 2. February 2003. pp. 193-200.				
		Stubbs et al. "Selective Internal Radiation Therapy (SIRT) with <sup>90</sup> Yttrium Microspheres for Extensive Colorectal Liver Metastases." <i>Hepato-Gastroenterology</i> . Vol. 48, No. 38. March. 2001. pp. 333-337.				
		Ho et al. "Internal Radiation Therapy for Patients with Primary or Metastatic Hepatic Cancer." <i>CANCER</i> Vol. 83, No. 9. November 1998. pp. 1894-1907.				

**23552**

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	